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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: TEXTAINER PARTNERSHIP  
SECURITIES LITIGATION

This Document Relates To: All Actions

Case No. C-05-00969-MMC

STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE HEARING  
ON MOTION TO DISMISS FOURTH  
AMENDED COMPLAINT AND TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE

1           Lead Plaintiff Stephen L. Craig and Defendants Textainer Financial Services Corporation,  
2           Textainer Equipment Management Limited, Textainer Limited, Textainer Capital Corporation,  
3           Textainer Group Holdings Limited, and John A. Maccarone (collectively, the "Textainer  
4           Defendants") hereby stipulate pursuant to Local Rules 7-11 and 7-12 as follows:

5           WHEREAS, on September 11, 2006, the Court continued the Case Management  
6           Conference to November 17, 2006;

7           WHEREAS, on October 12, 2006, the parties participated in a mediation session with  
8           Hon. William J. Cahill (Ret.) at JAMS;

9           WHEREAS, on October 16, 2006, the Court continued the hearing on Textainer's Motion  
10          to Dismiss Fourth Amended Complaint originally scheduled for October 20, 2006 to December 1,  
11          2006.

12          WHEREAS, the Textainer Defendants and Mr. Craig are continuing to discuss the  
13          possibility of a settlement of this case;

14          WHEREAS, a second mediation session cannot be held before December 1, 2006 due to  
15          personnel unavailability;

16          WHEREAS, a second mediation session among the Textainer Defendants and Mr. Craig  
17          is confirmed for December 13, 2006;

18          WHEREAS, to avoid consuming the Court's time unnecessarily, the parties seek to  
19          continue the hearing and conference to dates that will allow the parties sufficient time to  
20          determine whether they will be able to successfully complete their negotiations;

21          **THEREFORE**, the parties, by and through their respective counsel, hereby stipulate and  
22          agree, and request the Court to enter the following as an order of the Court:

23          The hearing on Textainer's Motion to Dismiss the Fourth Amended Complaint currently  
24          scheduled for December 1, 2006 is rescheduled to January 5, 2007 at 9:00 a.m.

25          The Case Management Conference currently scheduled for November 17, 2006 shall take  
26          place at 10:30 a.m. on the same date as the hearing on the Textainer Defendants' Motion to  
27          Dismiss, or as soon thereafter as may be scheduled by the Court.

1 The Joint Case Management Statement shall be filed at least seven (7) days before the  
2 scheduled Case Management Conference hearing.

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5 Dated: October 26, 2006

By: s/Grace Y. Park

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Grace Y. Park  
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Attorneys for Textainer Defendants

11 Dated: October 26, 2006

By: s/Gwendolyn R. Giblin

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- and -

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Counsel for Lead Plaintiff Stephen L.  
Craig

1 I, Grace Y. Park, am the ECF User whose ID and password are being used to file this  
2 STIPULATION AND [PROPOSED] ORDER TO CONTINUE HEARING ON MOTION TO  
3 DISMISS FOURTH AMENDED COMPLAINT AND TO CONTINUE CASE MANAGEMENT  
4 CONFERENCE. In compliance with General Order 45, X.B., I hereby attest that Gwendolyn R.  
5 Giblin has concurred in this filing.

6 Dated: October 26, 2006


MORRISON & FOERSTER LLP

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8 By: s/Grace Y. Park  
9 Grace Y. Park

10  
11 **ORDER**

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14 **PURSUANT TO STIPULATON, IT IS SO ORDERED.**

15 Dated: October 26, 2006.

16   
17 The Honorable Maxine M. Chesney  
18 United States District Judge  
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